

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**UNITED STATES OF AMERICA
ex rel. KEVIN GRAY**

PLAINTIFF

v.

CIVIL ACTION NO.: 3:15-cv-127-MPM-JMV

**MITIAS ORTHOPAEDICS, PLLC; CHAMPION
ORTHOPAEDICS DESOTO, P.L.L.C. d/b/a
CHAMPION ORTHOPAEDICS & SPORTS
MEDICINE; and HANNA M. MITIAS, M.D.**

DEFENDANTS

ORDER DENYING MOTION TO COMPEL

Before the court is Relator's [327] Motion to Compel Discovery Relating to Relator's Attorneys' Fees Claim. For the following reasons, the motion is denied.

In his motion, Relator seeks answers to discovery concerning the fees and expenses of Defendants' counsel. However, as of the date of this order, Relator has not filed a petition for fees and expenses, nor is it clear what, if any, objections will be made by defendants thereto, and consequently, what discovery, if any, might be warranted. Additionally, no discovery has even been properly propounded in this case and the discovery period has expired. While the court appreciates that discovery as to fees and expenses may be appropriate in the future, a motion to compel the same before the petition or objections thereto, if any, are made and before discovery has even been formally propounded is premature.

Accordingly, the court finds that the motion is not well taken, and it is **DENIED**.

SO ORDERED, this the 23rd day of January, 2023.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE